

**The Rhode Island Fire Safety Code Board of Appeal & Review met at their headquarters located at 1 Regan Court, Varley Building #46, in Cranston, RI on Tuesday, September 21, 2010 at 1:00 P.M. Present were Vice Chairman Newbrook and Commissioners Dias, Walker, Blackburn, Preiss and Jasparro. Chairman Coutu and Commissioners Filippi, Pearson, Jackson, and Richard were absent. Also present were Executive Director Thomas Coffey and Deputy Director Carol Marsella. The following cases were heard.**

**APPEAL #060124B: Diocese of Providence, for the property located at 927 Atwood Avenue, Johnston. ADSFM Matarese appeared for the Johnston Fire Marshal's office. Commissioner Walker made a motion, seconded by Commissioner Jasparro, to approve the Applicant's request for an extension of time to comply until the beginning of the 2011-2012 academic year. The motion was unanimous.**

**APPEAL #100083: Mr. A. Edward Nota, for the property located at 1530 Hartford Avenue, Johnston. ADSFM Matarese appeared for the Johnston Fire Marshal's office. Commissioner Dias made a motion, seconded by Commissioner Blackburn, to grant the Applicant a time variance of thirty (30) days to bring this facility into compliance. The motion was unanimous.**

**APPEAL #080190: 44 Bliss Mine Condo Association, for the property**

located at 44 Bliss Mine Road, Middletown. ADSFM Keith Notorani appeared for the Middletown Fire Marshal's office. Commissioner Blackburn made a motion, seconded by Commissioner Preiss, to grant the following relief. The Applicant is granted a variance based on structural hardship, to maintain the cited stairway dimensions and a variance to install sprinkler heads inside of each apartment in order to meet a one-hour rating in the exit stairways. The Applicant is granted a time variance of thirty (30) days to submit a plan of action for the correction of all outstanding deficiencies in this facility, and an additional 120 days in which to implement that plan. The Middletown Fire Marshal's office is granted the authority to extend the above deadlines for good faith efforts being shown by the Applicant. The motion was unanimous.

**APPEAL #080128:** Mr. Rocky Kempenaar, for the property located at 351 West Main Road, Middletown. ADSFM Keith Notorani appeared for the Middletown Fire Marshal's office. Commissioner Preiss made a motion, seconded by Commissioner Dias, to grant the Applicant a time extension until September 1, 2012, by which time the subject building will have been demolished and the new building will be code compliant. There was no objection by the Middletown Fire Marshal's office. The motion was unanimous.

**APPEAL #100203:** Mr. Robert Poturnicki, for the property located at 70 Corporate Place, Middletown. DSFM Paul Manning appeared for the State Fire Marshal's office. Commissioner Preiss made a motion,

seconded by Commissioner Walker, to grant the following relief. The Applicant is granted a variance based on structural hardship in order to maintain only one means of egress from the mezzanine area, there being no objection by the State Fire Marshal's office. The Applicant was granted a time variance of thirty (30) days in which to correct any outstanding deficiencies in this facility and an additional 150 days in which to make those corrections. The State Fire Marshal's office is granted the authority to extend the above deadlines for good faith efforts being shown by the Applicant. The motion was unanimous.

**APPEAL #100202:** Mr. Anthony T. Zompa, for the property located at 555 Woonasquatucket Avenue, North Providence. Assistant Deputy State Fire Marshals Unsworth and Horan appeared for the North Providence Fire Marshal's office. Commissioner Blackburn made a motion, seconded by Commissioner Walker, to grant the Applicant a time variance of thirty (30) days in which to submit a plan of action for the installation of a compliant fire alarm system within this facility, and an additional 150 days in which to implement that plan. The Applicant is directed to bring this facility into 100 percent compliance within one year from the date of the hearing. The motion was unanimous.

**APPEAL #100216:** Re-Pro LLC, for the property located at 295 Woonasquatucket Avenue, North Providence. Assistant Deputy State Fire Marshals Unsworth and Horan appeared for the North Providence Fire Marshal's office. Commissioner Preiss made a

**motion, seconded by Commissioner Walker, to direct the Applicant to immediately remove the combustibles stored under the stairwells. The Applicant is granted a time variance of thirty (30) days in which to install the required carbon monoxide detectors within this facility, to install a sprinkler head over the boiler, to install cross-corridor doors at the direction and to the satisfaction of the North Providence Fire Marshal's office and to repair any penetrations that exist within the boiler room. The Applicant is granted a time variance of thirty (30) days in which to submit a plan of action for the installation of a compliant fire alarm system within this facility, and an additional 120 days in which to implement that plan. The Applicant is granted a time variance of one year from the hearing date in which to correct any remaining deficiencies that exist in this facility. The motion was unanimous.**

**APPEAL #100229: Mr. Timothy Wensus, for the property located on Baird Hill Road in Kingston. DSFM Wade Palazini appeared for the State Fire Marshal's office. Commissioner Blackburn recused himself from consideration of this case. Commissioner Dias made a motion, seconded by Commissioner Preiss, to grant the Applicant a variance to allow the arrangement of the two-story vertical opening that connects the first and second floors, pursuant to the Applicant's testimony that a draft stop with closely spaced sprinkler heads will be provided. The Applicant is granted a variance from the provisions of section 28.3.6.7 pursuant to his installation of combination fire and smoke dampers in each of the air-transfer ducts in order to maintain**

**the smoke-tight integrity of the exit access corridor. The motion was unanimous.**

**Commissioner Jasparro made a motion, seconded by Commissioner Walker, to approve the subcommittee's recommendations from the 9-17-10 hearing. The motion was unanimous.**

**Respectfully submitted**

**Carol Marsella**